

Bankruptcy Case Opening

The steps below will guide you through filing a petition and opening a bankruptcy case electronically using Open a BK Case, not case upload. The petition must be prepared in PDF format before trying to open the case. Included in the same PDF document should be the petition, schedules, summary page, statement of financial affairs and attorney compensation form, if possible. If the petition is being opened as a chapter 7, include the statement of intention.

Do NOT file a Chapter 13 plan, application to pay filing fee in installments or a matrix as part of the PDF document containing the petition. File these separately immediately after filing the petition.

If you are using a petition preparing software, please check with your vendor to determine if software is compatible with CM/ECF and can be uploaded into our system. The vendor should be able to provide you with instructions on how to convert the petition packet to PDF and then file with the court. Case upload may **only** be used for **COMPLETE** filings, not for deficient filings, such as missing schedules, plans and/or missing creditors. See the section on Bankruptcy Case Upload for more information.

STEP 1 Click the **Bankruptcy** hyperlink on the ECF Main Menu (See Figure 1)

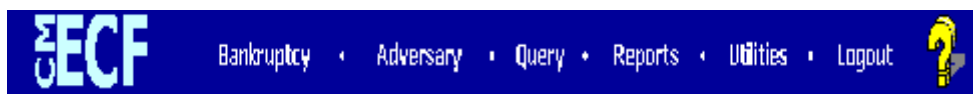



Figure 1

STEP 2 The **Bankruptcy Events** screen displays.

' Click on the **Open a BK Case** hyperlink

' For further information on each of these categories, click the  (Help) icon located at the top right corner of menu screen.

STEP 3 The **CASE DATA** screen displays

- ' The **Office** defaults to Providence. No action is necessary
- ' The **Case Type** defaults to **bk**. No action is necessary
- ' The current date is displayed as the **Case Filed** date
- ' **Chapter:** Use drop down arrow to select appropriate chapter (defaults to **7**)
- ' **Joint Petition:** Change to “y” if petition is for joint debtors
- ' **Deficiencies:** Leave unchanged – court will issue notice of missing documents and notice of intent to dismiss upon review of filing.
- ' Click the **[NEXT]** button

STEP 4 The **SEARCH FOR A PARTY** screen displays***Hints for Searching Party/Attorney Database***

- # Enter one field of data for each search
- # Format Social Security Number or Tax ID with hyphens.
- # Searching is case sensitive (Smith, not smith)
- # Partial names can be entered
- # Include an apostrophe or hyphen if part of the name (O'Brien)
- # Omit other punctuation, such as periods or commas
- # Try alternate search clues if your first search is not successful
- # Wildcards (*) are not required but may be used.

- ' Enter Debtor's Social Security Number **OR** Last Name/Business Name in the appropriate field to search master database for Debtor. Click **[SEARCH]**

IF	THEN
If debtor found	Click [SELECT NAME FROM LIST]
If debtor <i>not</i> found	Click [CREATE NEW PARTY]

STEP 5 The **PARTY INFORMATION** screen displays

- ' Enter debtor **Name** and **Address** information in the appropriate boxes.
 - # **CM/ECF is case sensitive.** Capitalize the first letter of the first and last name and type the remainder of the name in lower case.
 - # Do **NOT** use commas or periods when adding debtor name and address information to a case.
- ' Select the debtor's **County** of residence from the pick list.
 - # Refer to the list of cities and their corresponding counties in this guide. If the city is not listed, notify the court prior to opening the case and selecting a county of residence.
- ' **Pro Se** field should be **no**
- ' Select **Debtor or Joint Debtor** as the **Role Type**. If a joint case, the first debtor added should have the role "debtor" and the second debtor added should have the role "joint debtor".
- ' Enter further descriptive text in the **Party Text** field, if appropriate. (A Connecticut Corporation, etc.)
- ' If the party has an alias, click the **[ALIAS]** button.

STEP 6 The **ALIAS** screen displays

- ' You can enter up to 5 alias records. **Alias Role** selections include aka, dba, fdba, fka
- ' Click [**Add Aliases**]

STEP 7 The **PARTY INFORMATION** screen appears once more.

- ' Click the [**Submit**] button

STEP 8

JOINT DEBTOR	THEN
No	Divisional Office screen will display
Yes	Repeat Steps 4-7 (if applicable), use role type Joint Debtor ; click [END PARTY SELECTION] when finished

STEP 9 **DIVISIONAL OFFICE** screen displays

- ' **Providence** is the only office in Rhode Island. Click [**NEXT**]

STEP 10 The **STATISTICAL DATA** screen displays

- ' Select the **Type of Debtor** by clicking in the appropriate box(es).

K ***TIP** - The system defaults to individual. Be sure if you are selecting a box other than individual to remove the checkmark from individual.*

- ' **Fee Status** values are Paid and Installment. If the petition is accompanied by an Application to Pay Filing Fee in Installments and meets the conditions contained in Fed.R.Bankr.P.1006(b)(1) , choose Installment from the pick list.

- ' **Nature of Debt:** Select *business* or *consumer*
- ' **Voluntary:** Defaults to *voluntary*. At the present time, the system is not able to accept involuntary electronic filings.
- ' **Origin:** Leave this field at the default *Original*
- ' **Date split/transfer:** Leave this field blank
- ' **Asset Notice:** Select "No" for Chapter 7 cases, select "Yes" for Chapters 11 and 13
- ' **Estimated Number of Creditors:** Select correct number
- ' **Estimated assets:** Select correct dollar range
- ' **Estimated debts:** Select correct dollar range
- ' Click [NEXT]

STEP 11 The **PDF DOCUMENT SELECTION** screen displays

- ' Click [BROWSE], then navigate to the directory where the appropriate PDF file is located or type in the full directory and file path

K *TIP - There are no attachments with a petition. The list of creditors is a separate step, as well as chapter 13 plan and summary.*

- ' To verify that this is the appropriate document, highlight the document name
 - # Right click with your mouse.
 - # Select **open** to view the document
 - # Click **X** in the upper-right corner to exit
 - # If correct, click the **open** button on the **choose file** screen to select it
- ' Click the [NEXT] button.

STEP 12 The **FILING FEE** screen displays

- ' The Filing fee will automatically default depending on chapter chosen. All electronic filers are required to pay the filing fee using a credit card. The payment screen will appear at the end of the event.

' A warning display reminds filers that the **Declaration regarding Electronic Filing in support of Original Petition, Schedules and Statements (Local Form P.3)** must be filed within **15 days** of the Petition. *Failure to timely file Local Form P.3 will result in the Automatic Issuance of an Order to Show Cause why case should not be dismissed.*

- ' Click the [Next] button

STEP 13 The **DEADLINE** for the **Declaration Regarding Electronic Filing (Form P.3)** displays. *Make a note of the deadline.*

- ' Click the [NEXT] button.

STEP 14 The **MODIFY TEXT** screen displays

- ' Enter any required text in the free text box.
- ' Verify the accuracy of information.
- ' Click the [Next] button

STEP 15 The **FINAL TEXT** screen displays

- ' Verify the accuracy of the text. *Text of docket entry should not require modification; if modification is necessary - use [BACK] button on your browser.*
- ' Clicking on Bankruptcy or any menu option aborts the entry
- ' If the information is correct, click the [Next] button.

SAMPLE DOCKET TEXT

Chapter 7 Voluntary Petition. Fee Amount \$209 Filed by Jane Doe.
Declaration re: Electronic Filing, Form P.3 Due By: 8/1/2003 (John Attorney)

STEP 16 The **NOTICE OF BANKRUPTCY FILING** screen displays

- ' The Notice of Electronic Filing is the verification that the filing has been sent electronically to the court's database. It certifies that the petition is now an official court document.
- ' This screen will provide the bankruptcy case number for the debtor(s).
- ' Click **Print** on the browser button to print a copy of the notice for your records (Optional)
- ' **Reminder:** After opening the case, you must immediately upload the creditors in **Creditor Maintenance/Upload a creditor matrix file**.
- ' **IMPORTANT Chapter 11 only:** Before completing the you matrix and saving as a txt file, **YOU MUST add the following interested parties to your creditor list:**

Chapter 11

IRS-Insolvency Unit
380 Westminster St - 4th Floor
Providence, RI 02903
Providence, RI 02903

Chapter 11

State of Rhode Island
Department of Labor & Training
1511 Pontiac Ave. Bldg 72,3rd Fl
Cranston, RI 02920

- ' Thereafter, click the **Judge/Trustee Assignment** hyperlink to assign the judge and trustee and schedule the 341 meeting. *The Judge/Trustee assignment may be delayed until the end of the day's case opening filings in order to batch your cases for same 341 meeting date, if available.*